

REMARKS

Claims 22-42 are pending in the application. Claims 22-38, 41, and 42 have been amended to correct informalities.

The Present Invention

The present invention discloses a dishwasher and a method for operating a dishwasher wherein the storage reservoir for the rinsing water is particularly simple and economical to produce and, in addition, the loss of space in the dishwasher through the storage reservoir is kept very low and/or the rinsing solution can be stored for a particularly long time in the storage reservoir without substantial formation of bacteria.

To accomplish this, the present invention includes a storage reservoir embodied as a film bag which can be matched in size to the volume of the liquid. As a result, any free space in a dishwasher can advantageously be used for storage of rinsing water. The specification notes that this type of flexible film bag is also inexpensive and simple to manufacture, therefore increasing the ease of assembly or manufacture of the dishwasher. The film bag may be formed preferably of an inexpensive plastic or metal material.

Rejections under 35 U.S.C. 102(b) and §103(a)

Claims 22-25, 27, 28, 32, 33, 35 and 38-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Centis U.S. Patent No. (5,617,885) in view of Tabasso (EP 0 546 348). Applicants respectfully traverse this rejection.

The present invention recites in independent claim 22 a feature where a “storage reservoir is embodied as a film bag which can be matched in size to the volume of the liquid.” As noted above, the film bag can be matched in size to the volume of the liquid, freeing space in the dishwasher. The film bag is also inexpensive and simple to manufacture.

Centis is cited in the grounds of rejection as disclosing a dishwasher that carries out a washing program and includes a program controller, a washing container, and a system for circulating the rinsing water. The grounds of rejection acknowledge that the claimed film bag feature of the present invention is not disclosed in Centis. Rather, the grounds of rejection state that Tobasso teaches a similar dishwasher as in Centis for recovering, storing, and returning rinse water for further use during various phases of a washing process by using a flexible bag as a storage reservoir which results in minimum space usage (citing Figures 1 and 2, the Abstract, and col. 1, lines 47-55; col. 2, lines 29-39; and col. 3, lines 28-31 of Tobasso). Accordingly, the grounds of rejection allege that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the flexible bag reservoir taught by Tobasso as the reservoir of Centis with a reasonable expectation of success because Tobasso allegedly teaches that it is known to use a flexible bag for recovering, storing, and returning rinse water for further use during various phases of a washing process because the flexible bags take up minimum space within the dishwasher.

Applicants respectfully submit that Centis teaches away from the present invention and that one of ordinary skill in the art would have not looked to Tobasso for a flexible reservoir for use in the Centis dishwasher. More specifically, Centis describes a washing machine shown in EPO 0 287 990 and Germany 29 10 140 in which a rinse phase is collected in an appropriate reservoir. The reservoir is connected in parallel with the washing machine for reuse of the water in a pre-wash or main wash phase of a subsequent washing process (see col. 1, lines 10-16). Centis states that one problem with this rinse collection system configured in parallel with the water supply system of the machine is that the rinse and/or wash water stored in the reservoir is at least partially contaminated, i.e., polluted. Centis seeks to solve this problem by having its reservoir 11 as a part of the water supply circuit 8-14 (in which the reservoir 11 is connected in series). In this manner, the reservoir 11 is automatically flushed, and washed, with fresh water from the supply. This enables the water from at least one operational phase of the washing process to be recovered in an effective way, while overcoming the hygienic and reliability problems associated with prior-art solutions (see col. 3, lines 10-19). As such, Applicants respectfully submit that since the Tobasso bags are for use in a parallel manner and not for use as part of the water supply system, one of ordinary skill in the art would not look at that configuration for incorporation into Centis system.

Further, in the Centis system, the reservoir 11 is arranged to act as a volumetric metering reservoir. This volumetric metering teaching would lead one of ordinary skill in the art away from bags of a flexible nature. Indeed, the Centis dishwasher notes that the reservoir 11 is preferably provided with level control means, which may for instance

Attorney Docket No.: 2003P01764WOUS

comprise a float 16 adapted to enable the water inlet valve 9 to be opened only when the level of the water in the reservoir 11 is below a predetermined level (see col. 2, lines 20-24). One of ordinary skill in the art would not associate using a flexible bag in conjunction with a float 16 to determine a level of fluid since the bags shape would constantly change. For these several reasons, Applicants respectfully submit that independent claim 22 is allowable.

With regards to the 35 U.S.C. § 102(b) rejection of claim 42 as being anticipated by Centis (U.S. Patent No. 5,617,885), Applicants have amended claim 42 to include the flexible bag feature of the invention. Likewise with independent claim 37. Accordingly, Applicants respectfully submit that the claims distinguish from the cited art.

Rejections under 35 U.S.C. §112

Claims 26, 28, 29, 31, 32, 35, 36, and 42 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended the claims in a manner thought to address the issues cited in the grounds of rejection and respectfully submit that the claims are in form for allowance.

CONCLUSION

In view of the above, allowance of claims 22-42 is respectfully requested. If the Examiner has any questions regarding the remarks herein, the Examiner is kindly requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

/Andre Pallapies/

Andre Pallapies
Registration No. 62,246
April 29, 2010

BSH Home Appliances Corporation
100 Bosch Blvd.
New Bern, NC 28562
Phone: 252-672-7927
Fax: 714-845-2807
andre.pallapies@bshg.com